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NVIDIA CORPORATION

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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

14  
15 The NVIDIA GPU Litigation

16 Case No. C 08-04312 JW

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**STIPULATION REGARDING  
BRIEFING SCHEDULE FOR RULE  
12 MOTIONS**

WHEREAS, this Court in its Order dated July 2, 2009 moved the September 28, 2009 hearing date in the Stipulation and Order submitted by the parties to October 19, 2009 at 9 a.m., and instructed the parties that all briefing shall be completed on or before September 28, 2009;

WHEREAS, NVIDIA Corporation’s (“NVIDIA’s”) reply brief on its Motion to Dismiss the Consolidated Amended Complaint must currently be filed by September 28, 2009;

WHEREAS, the partner in charge of this matter for NVIDIA is out of the country on a long-planned family vacation during the period prior to September 28, and will not return to the United States until Sunday September 27, and the senior associate on the matter has conflicts during the preceding week as well due to the Jewish holidays;

WHEREAS, an extension until October 1 for the reply brief would not deprive the Court of sufficient time to review the papers in advance of the October 19 hearing; and

WHEREAS, the October 19, 2009 hearing date and all other deadlines set out in the July 2, 2009 Order would remain unaffected;

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and NVIDIA, through their counsel of record and Interim Lead Class Counsel for Plaintiffs, that NVIDIA may file its reply brief on the motion to dismiss by October 1, 2009.

Dated: September 16, 2009

ROBERT P. VARIAN  
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JOSHUA D. WATTS  
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*/s/ Robert P. Varian*  
ROBERT P. VARIAN  
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NVIDIA CORPORATION

1 Dated: September 16, 2009

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5 /s/ *Jeff S. Westerman*  
6 JEFF S. WESTERMAN  
7 Interim Lead Class Counsel for  
8 Plaintiffs and All Others Similarly Situated

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12 The filer attests that concurrence in the filing of the document has been obtained from  
13 each of the other signatories, or from the single signatory (in the case, e.g., of a declaration)  
14 which shall serve in lieu of their signature(s) on the document.

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16 IT IS SO ORDERED:

17 The Stipulation is found as MOOT. Reply memorandums were filed as stipulated by the parties.  
18 The hearing was held on October 19, 2009 and the matter was submitted to the Court after oral  
19 argument for further decision.

20 Dated: November 5, 2009

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United States District Court